

Before the  
Federal Communications Commission  
Washington, D.C. 20554

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|--|---|----------------------|
| In the Matter of:                      | ) |                      |
|  | ) |                      |
| Revision of the Commission's Rules To  | ) | CC Docket No. 94-102 |
| Ensure Compatibility with Enhanced 911 | ) |                      |
| Emergency Calling Systems              | ) |                      |
|  | ) |                      |
| Phase II Compliance Deadline for       | ) |                      |
| Non-Nationwide CMRS Carriers           | ) |                      |
|  | ) |                      |
| The NTELOS Companies Petition for      | ) |                      |
| Limited Waiver                         | ) |                      |
| To: Wireless Telecommunications Bureau |   |                      |

**STATUS REPORT  
OF THE NTELOS COMPANIES**

NTELOS Inc. on behalf of itself and its affiliates the Virginia PCS Alliance L.C.; Richmond 20 MHz LLC; and the West Virginia PCS Alliance L.C. (all doing business as, and hereinafter, "NTELOS") hereby respectfully submits this status report concerning progress NTELOS has made in reaching the Commission-mandated 95% penetration rate of location-capable handsets.

**Background**

NTELOS is a Tier III regional wireless carrier that provides service in Virginia and West Virginia as well as small portions of North Carolina, Kentucky, Maryland, Pennsylvania and Ohio to approximately 345,000 subscribers. NTELOS has implemented a handset-based location technology for the delivery of E911 Automatic Location Information (ALI) over its Code Division Multiple Access (CDMA) digital PCS network.

In its “Petition for Limited Waiver” on October 21, 2005 with the Commission, NTELOS requested a limited waiver to extend the deadline in Section 20.18(g)(1)(v) of the Commission’s rules. This section requires that Tier III carriers who have chosen to implement a handset-based solution to meet the location requirement for Enhanced 911 services achieve a location-capable handset penetration of 95 percent among subscribers by December 31, 2005.<sup>1</sup>

As set forth in its Petition, NTELOS explained that certain circumstances existed that made it unlikely that NTELOS would meet the 95 percent subscriber penetration rate by the deadline, despite efforts at promoting location-capable handsets to NTELOS’ customers. NTELOS requested an 18-month extension of the penetration requirement, until July 1, 2007.

In its order of January 27, 2006, the Commission granted NTELOS an extension of the penetration requirement, but only until November 1, 2006. In the same order the Commission required NTELOS to file status reports on

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<sup>1</sup> 47. CFR §20.18 (g)(1)(v).

its progress every February 1, May 1, August 1, and November 1, beginning May 1, 2006. The following information is submitted in compliance with the January 27, 2006 Commission order and is the second update on the progress NTELOS has made toward the FCC-mandated 95% penetration requirement.

### **The Number and Status of Phase II 911 Requests from PSAPs**

Exhibit 1 illustrates the status of the 911 Phase II requests received by NTELOS, on a per state basis. In total, NTELOS has received 911 Phase II requests from 96 Public Safety Answering Points (PSAPs). Of the 96 requests, 80 have been implemented, 3 are in the process of implementation, and 13 requests could not be implemented because NTELOS had no coverage in the area. NTELOS expects to have all Phase II requests in areas it covers implemented by December 2006.

### **The Dates on Which Phase II Has Been Implemented or Will Be Available**

Exhibit 1 illustrates the implementation date for each PSAP requesting Phase II deployment.

### **The Status of NTELOS' Coordination Efforts with PSAPs for Alternative 95% Handset Penetration Dates**

NTELOS has notified the 83 PSAPs in NTELOS' coverage area with Phase II 911 requests about the progress the company has made toward the

95% penetration rate. Email notification was sent to all 83 PSAPs on July 20, 2006 about NTELOS' current penetration rate and the goals of reaching 95% by November 1, 2006. A copy of this email is shown in Exhibit 2.

### **Efforts to Encourage Customers to Upgrade to Location-Capable Handsets**

Here are some of the steps NTELOS has taken recently to meet the 95% handset penetration target:

1. Direct Mail letters and postcards have been mailed to customers with the most common non-GPS handset models, informing them their handset may not be able to access Enhanced 911 and offering them promotional handset pricing with a contract extension. Copies of customer material are shown in Exhibit 3.
2. Any NTELOS customer with a non-GPS handset qualifies for promotional handset pricing, irregardless of their contract status.
3. Promotional handset pricing is incorporated into all customer retention efforts and NTELOS' retention team is very aware of which handset models are non-GPS capable.
4. NTELOS continues to offer location-capable handsets at very low prices, including a \$0.99 bar style handset, \$9.99 color flip handset and \$29.99 camera flip handset, for new or existing customers. These low prices make a handset upgrade affordable for all customers.
5. NTELOS previously established a policy of refusing to activate any non-GPS capable handset that a customer, or potential

customer, brought in and requested by activated. Now, NTELOS no longer orders replacement parts or accessories for non-Global Positioning System (GPS) handsets and no longer repairs such handsets.

### **The Percentage of Customers with Location-Capable Phones**

As of July 18, 2006, NTELOS had 92.4% of its customers using 911-capable handsets, and increase of 2.3% since NTELOS' last report of 90.1% in the May 1, 2006 update to the Commission. Only 82% of NTELOS customers had GPS-capable handsets when NTELOS filed its extension petition on October 21, 2005.

Using the techniques and policies shown above, NTELOS is aggressively changing out customer handsets in order to meet the November 1, 2006 911-capable handset penetration rate of 95% required by the Commission. Since May 1, 2006, NTELOS has converted over 6,200 from non-GPS to 911-capable.

### **Conclusion**

NTELOS has a demonstrated record of cooperation with PSAPs in its service areas and takes its wireless 911 obligations very seriously. Although it is a relatively small carrier operating in a largely rural area, NTELOS has made a great deal of progress toward reaching the 95 percent penetration deadline by November 1, 2006. Over 92 percent of NTELOS subscribers are

using GPS handsets today, and each week NTELOS replaces between 500-700 non-GPS telephones with new 911-capable models.

The total percentage of NTELOS subscriber with GPS-capable handsets continues to increase, but at a slower rate than in previous years. NTELOS will continue its diligent efforts to promote handset upgrades, but it is clear the small subset of remaining customers will be the hardest to convert.

NTELOS believes it is on track to achieve the 95 percent threshold by November 1, 2006. NTELOS will continue to keep the Commission informed of the progress it makes toward the 95% 911-capable handset target.

Respectfully submitted,

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